

EXHIBIT 13

In The Matter Of:
William D. Carmack v.
Commonwealth of Virginia, et al

David Norwood Matlock, Jr.
January 24, 2019

ZAHN
COURT REPORTING

208 E. Plume Street, Suite 214
Norfolk, Virginia 23510
tel: 757 627 6554 *fax:* 757 625 7077
email: info@zahncourtreporting.com

Original File 012419kzdm.txt
Min-U-Script® with Word Index

William D. Carmack v.
Commonwealth of Virginia, et al

David Norwood Matlock, Jr.
January 24, 2019

Page 297

1 (7/21/16 email from David Matlock to HEC
2 Staff RE: Please Review!! Lunch will be
3 ready at 12:30 today! marked as Matlock
4 Exhibit Number 72)

4 BY MR. GRIMES:

5 Q Exhibit 72 is an email from David Matlock
6 to HEC staff dated 21 July 2016.

7 A Um-hum.

8 Q And there you write concerning the
9 2015/2016 school year.

10 The first bullet point, "we finished the
11 year with a strong increase in overall Center activity
12 and our financial position remains very solid,"
13 exclamation point. "For the year, revenues were up by
14 32 percent for Cooking Along the Crooked road,
15 22 percent (largest dollar increase) for leased space
16 and 59 percent for the testing center," exclamation
17 point, exclamation point.

18 And all that's true, wasn't it?

19 A The percentages are -- I'm going to
20 assume they are correct. I try to be as accurate as
21 possible.

22 Q Exhibit 73 is an email from David
23 Matlock -- that's you.

24 A That's -- my 73 is just a blank sheet of
25 paper.

Page 298

1 MR. HARDY: I have a partial email.
2 MR. GRIMES: Let's see what we have.
3 BY MR. GRIMES:

4 Q Debbie Hensley, does she have a master's
5 degree?

6 A I don't believe she does.

7 Q Is that a requirement for the CFO
8 position?

9 A No. She's -- she's not the CFO.

10 Q Pardon?

11 A She's not the CFO.

12 Q Because she couldn't be because she
13 doesn't have a master's degree; correct?

14 A We don't need a CFO.

15 Q You made that decision long ago, haven't
16 you?

17 A January 4, 2018.

18 Q Who does Carmack's duties for the
19 Foundation now?

20 A What needs to be done, the Foundation
21 operates with the assistance of Alicia Young.

22 Q Carmack was never written up, was he?

23 A Not to my knowledge, not by me.

24
25

Page 299

1 (11/1-2/17 emails between Richard Scholl,
2 Eric Myer, Jeff Webb, David Matlock RE:
3 Follow-up Information marked as Matlock
4 Exhibit Number 73)

4 BY MR. GRIMES:

5 Q Exhibit 73; have you seen this document
6 before?

7 A I believe so, yes, sir.

8 Q Pardon?

9 A Yes, sir.

10 Q And can you tell me what this document
11 concerns?

12 A It appears that the police officer with
13 OSIG is requesting, I believe -- I believe the
14 request -- let me read -- let me read through.

15 I believe they were requesting multiple
16 years of Mr. Carmack's emails.

17 Q And did you send them in the form of a
18 zip file?

19 A It -- it appears that Jeff Webb did.

20 Q Where is that zip file?

21 A Eric Myer, maybe. I don't know.

22 Q You don't know?

23 A No.

24 Q But somebody sent a zip file with
25 Carmack's emails to OSIG; correct?

Page 300

1 A As requested, sir.

2 MR. GRIMES: Ryan, could we get that, by
3 chance, the contents of the zip file?

4 MR. HARDY: We'll look into it, yes.

5 MR. KINCER: Of Mr. Carmack's email
6 account.

7 MR. GRIMES: Whatever was in the zip
8 file. Whatever is described here. The zip file.

9 MR. KINCER: Right, right.

10 But you had said Mr. Carmack's emails
11 here, not the Commonwealth's emails.

12 MR. GRIMES: He said that.

13 MR. KINCER: I don't think so.

14 MR. GRIMES: I don't know what's in the
15 zip file.

16 MR. KINCER: Okay.

17 MR. GRIMES: Whatever -- whatever was
18 sent by Jeff Webb to OSIG referenced in this email of
19 November 2, 2017, Exhibit 73.

20 BY MR. GRIMES:

21 Q Do you know anything about Ann Dunham's
22 report to OSIG?

23 A No.

24 Q The Center had to use nongeneral revenue
25 for approximately the last two months for wages to